

1 The Honorable Thomas S. Zilly  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 UNITED STATES OF AMERICA, )  
10 Plaintiff, ) NO. CR05-214Z  
11 v. )  
12 FRANKLIN WITTER, )  
13 Defendant. )  
14

ORDER CONTINUING  
TRIAL DATE

15 ORDER

16 The Court having reviewed the records and files herein and considered the  
17 stipulation of the parties, makes the following findings and enters the following order:

18 1. Additional time is necessary for both the government and defendant to  
19 effectively prepare this matter for trial.

20 2. The ends of justice outweigh the best interest of the public and the  
21 defendant in a speedy trial. That failure to grant a continuance based upon the parties  
22 need to prepare the matter for trial would result in a miscarriage of justice.

23 3. The parties have requested and stipulated to a continuance and the defendant  
24 shall file a waiver of speedy trial by September 30, 2005.

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1 IT IS HEREBY ORDERED that the trial date is continued from October 17, 2005  
2 to January 17, 2006 pursuant to Title 18, United States Code, Section 3161(h), and the  
3 period of time from the current trial date to the new trial date is excluded in the  
4 computation of time under the Speedy Trial Act. Pursuant to the stipulation of the  
5 parties, the defendant shall file a waiver of speedy trial by September 30, 2005.

6 DONE this 26th day of September, 2005.

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8 s/ James L. Robart /for

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THOMAS S. ZILLY  
10 United States District Judge

11 Presented by:

12 /s Lisca Borichewski  
13 LISCA BORICHEWSKI  
14 Assistant United States Attorney  
WA Bar # 91005  
15 United States Attorney's Office  
700 Stewart Street, #5220  
Seattle, WA 98101-3909  
16 Telephone: (206) 553-2266  
Fax: (206) 553-4440  
17 E-mail: lisca.borichewski@usdoj.gov

18 /s Lisca Borichewski per telephonic approval  
19 JOHN HENRY BROWNE  
20 Attorney for FRANKLIN WITTER